

PCB ETEL 06-01

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1                   A bill to be entitled

2       An act relating to campaign finance; amending s. 106.011,  
3       F.S.; amending a definition; providing for registration and  
4       additional reporting requirements for organizations making  
5       expenditures for electioneering communications or accepting  
6       contributions for the purpose of making electioneering  
7       communications; amending s. 106.07, F.S; providing  
8       additional reporting requirements for certain contributions  
9       made to persons making expenditures for electioneering  
10      communications; creating s. 106.0701, F.S.; providing  
11      registration and reporting requirements for legislators,  
12      statewide officeholders, and candidates for such offices  
13      relating to contributions to organizations exempt under  
14      specified provisions of the Internal Revenue Code; providing  
15      an exemption; providing an effective date.

16  
17   Be It Enacted by the Legislature of the State of Florida:

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19       Section 1. Paragraph (b) of subsection (1) of section  
20      106.011, Florida Statutes, is amended to read:

21       106.011 Definitions.--As used in this chapter, the  
22      following terms have the following meanings unless the context  
23      clearly indicates otherwise:

24       (b) Notwithstanding paragraph (a), the following entities  
25      are not considered political committees for purposes of this  
26      chapter:

27       1. Organizations which are certified by the Department of  
28      State as committees of continuous existence pursuant to s.  
29      106.04, national political parties, and the state and county

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executive committees of political parties regulated by chapter 103.

2. Corporations regulated by chapter 607 or chapter 617 or other business entities formed for purposes other than to support or oppose issues or candidates, if their political activities are limited to contributions to candidates, political parties, or political committees or expenditures in support of or opposition to an issue from corporate or business funds and if no contributions are received by such corporations or business entities.

3. Organizations whose activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications; however, such organizations shall be required to register and report contributions, including those received from committees of continuous existence, and expenditures in the same manner, at the same time, subject to the same penalties, and with the same filing officer as a political committee supporting or opposing a candidate or issue contained in the electioneering communication, except that the registration and initial report of such organization shall be made within 48 hours of making an electioneering communication and shall include all contributions received and expenditures made since the date of the last general election. If any such organization would be required to register and report with more than one filing officer, the organization shall register and report solely with the Division of Elections.

Section 2. Paragraph (a) of subsection (4) of section 106.07, Florida Statutes, is amended to read:

106.07 Reports; certification and filing.--

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(4) (a) Each report required by this section shall contain:

1. The full name, address, and occupation, if any of each person who has made one or more contributions to or for such committee or candidate within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less or is from a relative, as defined in s. 112.312, provided that the relationship is reported, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which the reporting committee or the candidate received, or to which the reporting committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for campaign purposes to or from any person or political committee within the reporting period, together with the full names, addresses, and occupations, and principal places of business, if any, of the lender and endorsers, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1. through 3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such committee or candidate during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom

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88 expenditures have been made by or on behalf of the committee or  
89 candidate within the reporting period; the amount, date, and  
90 purpose of each such expenditure; and the name and address of,  
91 and office sought by, each candidate on whose behalf such  
92 expenditure was made. However, expenditures made from the petty  
93 cash fund provided by s. 106.12 need not be reported  
94 individually.

95 7. The full name and address of each person to whom an  
96 expenditure for personal services, salary, or reimbursement for  
97 authorized expenses as provided in s. 106.021(3) has been made  
98 and which is not otherwise reported, including the amount, date,  
99 and purpose of such expenditure. However, expenditures made from  
100 the petty cash fund provided for in s. 106.12 need not be  
101 reported individually.

102 8. The total amount withdrawn and the total amount spent  
103 for petty cash purposes pursuant to this chapter during the  
104 reporting period.

105 9. The total sum of expenditures made by such committee or  
106 candidate during the reporting period.

107 10. The amount and nature of debts and obligations owed by  
108 or to the committee or candidate, which relate to the conduct of  
109 any political campaign.

110 11. A copy of each credit card statement which shall be  
111 included in the next report following receipt thereof by the  
112 candidate or political committee. Receipts for each credit card  
113 purchase shall be retained by the treasurer with the records for  
114 the campaign account.

115 12. The amount and nature of any separate interest-bearing  
116 accounts or certificates of deposit and identification of the

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117 financial institution in which such accounts or certificates of  
118 deposit are located.

119 13. The primary purposes of an expenditure made indirectly  
120 through a campaign treasurer pursuant to s. 106.021(3) for goods  
121 and services such as communications media placement or  
122 procurement services, campaign signs, insurance, and other  
123 expenditures that include multiple components as part of the  
124 expenditure. The primary purpose of an expenditure shall be that  
125 purpose, including integral and directly related components, that  
126 comprises 80 percent of such expenditure.

127 14. For any contribution made by an entity organized under  
128 s. 527 of the Internal Revenue Code to a person making an  
129 expenditure for an electioneering communication, the following  
130 additional information:

131 1. The name, address and contact person of the s. 527  
132 entity.

133 2. The date the s. 527 entity was formed.

134 3. A list of all contributions that exceed \$10,000 received  
135 by the s. 527 entity since the date of the last general election,  
136 and the name and address of each contributor, including each  
137 single contributor that in the aggregate made contributions  
138 exceeding \$10,000 during the period.

139 Section 3. Section 106.0701, Florida Statutes, is created  
140 to read:

141 106.0701 Solicitation of contributions and disclosure;  
142 registration.--

143 (1)(a) A member of the Legislature, statewide officeholder,  
144 or candidate for legislative or statewide office who directly or  
145 indirectly solicits, causes to be solicited or accepts any

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146 contributions to an organization that is exempt from taxation  
147 under s. 527 or s. 501(c) of the Internal Revenue Code which such  
148 person, in whole or in part, establishes, maintains or controls  
149 shall immediately disclose such activity to and register with the  
150 Division of Elections.

151 (b) Upon registration with the Division of Elections, a  
152 person subject to the requirements of paragraph (a) shall  
153 promptly create a public website that contains a mission  
154 statement and the names of persons associated with the  
155 organization.

156 (c) All contributions received shall be disclosed on the  
157 website within 5 business days after deposit, together with the  
158 name, address and occupation of the donor. All expenditures by  
159 the organization shall be individually disclosed on the website  
160 within 5 business days after being made.

161 (2) The requirements of subsection (1) do not apply to a  
162 candidate's own campaign account for state or federal office or  
163 to an individual listed in subsection (1) who is associated with  
164 a political party organized under chapter 103, or a qualified  
165 charity organized under s. 501(c) of the Internal Revenue Code.

166 Section 4. This act shall take effect on July 1, 2006.